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PD-990135/11508

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
JOHN C. HALL et al.)	GAU: 1745
Ser. No. 09/855,235)	Examiner:
Filed: May 14, 2001)	Carol Chaney
For: LITHIUM ION BATTERY PASSIVE CHARGE)	
EQUALIZATION)	

COMMUNICATION TO EXAMINER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Applicant has received an Advisory Action mailed September 15, 2003, indicating that claims 19-20 would not be entered under a provision dealing with after final amendments, and also checking boxes dealing with Appeal.

The Office Action of August 4, 2003, to which Applicant was responding, has box 2b checked to the effect that the Office Action is non final.

Applicant believes that the application is not on final rejection at this time, and that therefore the decision of the Advisory Action is not proper.

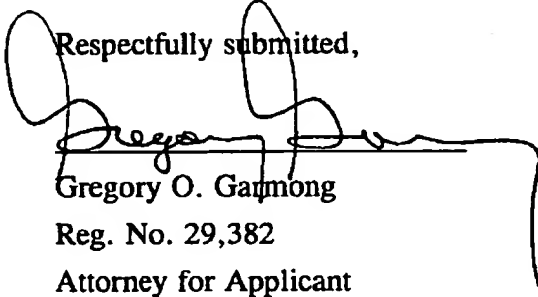
Applicant asks that the Examiner investigate this situation and advise Applicant of the status of the application.

The undersigned called the Examiner to discuss this matter and left a message on September 18, 2003, but received no response.

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I hereby certify that this paper (2 pages total) is being facsimile transmitted to the Patent and Trademark Office at fax 703-872-9310 on September 24, 2003.

Respectfully submitted,


Gregory O. Garmong

Reg. No. 29,382

Attorney for Applicant

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